

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

Case No: 05-1088

DAVID STEVENSON; MICHAEL MANLEY;  
\*MICHAEL L. JONES,

Appellants

v.

THOMAS CARROLL, Warden

\*Reinstated per clerk's order of 08/09/05

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On Appeal from the United States District Court  
for the District of Delaware  
District Court No.: 04-cv-139  
District Judge: The Honorable Kent A. Jordan

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Argued June 4, 2007

Before: SMITH, COWEN, and SILER, *Circuit Judges*\*

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JUDGMENT

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This cause came on to be heard on the record from the United States District Court for the District of Delaware and was argued on June 4, 2007. On consideration thereof, it is now ORDERED and ADJUDGED that the judgment of the District Court entered on

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\*The Honorable Eugene E. Siler, Senior Circuit Judge for the United States Court of Appeals for the Sixth Circuit, sitting by designation.

December 7, 2004, be and the same hereby is VACATED and REMANDED. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/Marcia M. Waldron  
Clerk

Dated: July 30, 2007

  
**Certified as a true copy and issued in lieu  
of a formal mandate on** August 21, 2007  
**Teste:** *Marcia M. Waldron*  
**Clerk, U.S. Court of Appeals for the Third Circuit**